

RECEIVED  
CENTRAL FAX CENTER  
MAR 14 2008

PTO/SB/21 (01-08)

Approved for use through 03/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Application Number	10/734,601
Filing Date	12/12/2003
First Named Inventor	Gill Pratt
Art Unit	2618
Examiner Name	Nguyen, Tu X

Attorney Docket Number

SpaceTimeRPA1

### ENCLOSURES (Check all that apply)

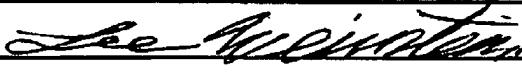
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="margin-left: 20px;">Copy of previously mailed reply after final.</div>
Remarks		
<div style="margin-left: 20px;">Attached is a copy of the previously mailed reply to the examiner's 7/19/2007 final rejection, including certificate of mailing.</div>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Lee Weinstein		
Signature			
Printed name	Lee Weinstein		
Date	3/14/2008	Reg. No.	56,261

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Lee Weinstein	Date	3/14/2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

MAR 14 2008

Page 1 of 5

Response to 7/19/007 office action for patent application #10/734,601, Pratt et al.

Lee Weinstein  
32A Fairmont St.  
Arlington, MA 02474  
E-mail: LeeWeinstein@comcast.net  
Phone: (781)643-3281  
Fax: (781)643-3282

August 14, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Office action dated 7/19/007 regarding U.S. patent application number 10/734,601

Dear Sirs:

This letter is responsive to the office action dated 7/19/007 (copy attached) regarding U.S. patent application number 10/734,601.

**Claim rejections under USC Section 103:**

The examiner rejects claim 15 under 35 U.S.C. 103(a) as being unpatentable over Gainey et al. (US Pub. 20040157551) in view of Bassirat (US Patent 6507741). The examiner has made this rejection final.

We request reconsideration of this rejection on the grounds that it would not be obvious to combine Gainey and Bassirat to accomplish the present invention, because Gainey specifically teaches away from the present invention. Gainey specifies a delay "associated with the repeated transmission that is equal to or greater than the received signal detection time. The delay is not otherwise dependent upon characteristics of the received signal". In the present invention the delay specifically always does depend on other characteristics of the received signal. In specific, in the present invention the delay is dependent on where the received signal is intended to be routed to (or, equivalently, given a particular routing program, the delay is dependent on where the received signal is received from). Thus one of ordinary skill in the art would be taught by Gainey not to use Gainey's invention to accomplish the aims of the present invention. We therefore submit that claim 15 is patentable in its present form.

**Allowed Subject Matter:**

The examiner has allowed claims 1-7 and 16-22. We wish to have these claims issued. We also wish to have claim 15 issued if the examiner allows it upon reconsideration.

If the examiner wishes to discuss this response letter by telephone, at his convenience he may contact Lee Weinstein at (781)643-3281.

Sincerely

  
Lee Weinstein, Registration #56,261

Certificate of mailing: I certify that this document including the attached claims and copy of the related office action were deposited with the US Postal Service as First Class Mail on August 14, 2007.

  
Lee Weinstein

RECEIVED  
CENTRAL FAX CENTER  
MAR 14 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,601	12/12/2003	Gill Pratt	600a-001	1624
7590	07/19/2007			
WARD & OLIVO			EXAMINER	
708 Third Avenue			NGUYEN, TU X	
New York, NY 10017			ART UNIT	PAPER NUMBER
			2618	
			MAIL DATE	DELIVERY MODE
			07/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

MAR 14 2008

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/734,601	PRATT ET AL.
	Examiner Tu X. Nguyen	Art Unit 2618

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 June 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7 and 15-22 is/are pending in the application.
- 4a) Of the above claim(s) 8-14 is/are withdrawn from consideration.
- 5) Claim(s) 1-7 and 16-22 is/are allowed.
- 6) Claim(s) 15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12/12/03 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All
    - b) Some \*
    - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

RECEIVED  
CENTRAL FAX CENTER  
MAR 14 2008

Application/Control Number: 10/734,601  
Art Unit: 2618

Page 2

## DETAILED ACTION

### ***Response to Arguments***

Applicant's arguments, dated 6/12/07, with respect to claim 15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gainey et al. (US Pub. 2004/0157551) in view of Bassirat (US Patent 6507741).

Regarding claim 15, Gainey et al. disclose a transceiver for use in a system for dynamically routing wireless signals, said transceiver comprising:

means for receiving a wireless signal (see fig.1, element 100-1, and par.031);

means for modulating said wireless signal, said modulating means coupled to said receiving means (see par.051);

means for digitizing said wireless signal, said digitizing means coupled to said modulating means (see fig.3, element 380);

means for delaying transmission of said wireless signal, said delaying means coupled to said digitizing means (see par.020);

means for amplifying said wireless signal, said amplifying means coupled to said delaying means (see figt.3, element PA325); and

means for transmitting said wireless signal, said transmitting means coupled to said amplifying means (see par.031-032).

Gainey et al. fail to disclose delaying transmission of said wireless signal by a dynamically adjustable delay.

Bassirat discloses delaying transmission of said wireless signal by a dynamically adjustable delay (see fig.10 lines 50-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Gainey et al. with the above teaching of bassirat in order to provide an adjustable delay dependent of the distance between the base station and the mobile station (as suggested by Bassirat, col.11 lines 11-18).

#### ***Allowable Subject Matter***

Claims 1-7 and 16-22 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the prior art fails to teach " in each said repeating transceiver, delaying said wireless signal by at least one predetermined delay and re-transmitting said wireless signal; such pre-determined delays in such transceivers being calculated to cause a desired alignment in time of arrival of such re-transmitted wireless signals at a destination receiver", as cited in the claim.

Regarding claim 16, the prior art fails to teach "in said repeating transceiver, delaying each of said plurality of wireless signals by a separately predetermined delay to produce a set of delayed wireless signals; combining said delayed wireless signals into a reconstituted wireless signal", as cited in the claim.

**Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

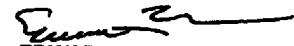
Any inquiry concerning this communication or earlier communications from the examiner should be directed Tu Nguyen whose telephone number is 571-272-7883.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



July 09, 2007



EDWARD F. URBAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

RECEIVED  
CENTRAL FAX CENTER  
**MAR 14 2008**

<b>Notice of References Cited</b>		Application/Control No. 10/734,801	Applicant(s)/Patent Under Reexamination PRATT ET AL.
		Examiner Tu X. Nguyen	Art Unit 2618      Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0157551 A1	08-2004	Gainey et al.	455/011.1
*	B	US-2004/0203542	10-2004	Seo et al.	455/126
	C	US-6,507,741	01-2003	Bassirat, Farhad	455/440
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.